

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SHANE E. RITTMILLER,)	
Petitioner)	
)	
v.)	CIVIL ACTION NO. 04-30244-MAP
)	
EASTERN HAMPSHIRE DISTRICT CT,)	
Respondent)	

ORDER OF DISMISSAL
PURSUANT TO 28 U.S.C. § 1915

December 10, 2004

PONSOR, D.J.

The petitioner has filed what purports to be a petition pursuant to 28 U.S.C. § 2254, along with an application to proceed in forma pauperis. In view of the petitioner's financial state, the petition to proceed without payment of fees is hereby ALLOWED. However, pursuant to the court's authority under 28 U.S.C. § 1915(e)(2)(B), the petition in this matter is hereby ordered DISMISSED for failure to state a claim upon which relief may be granted. To the extent that the court is able to discern the issue being raised, the petitioner is manifestly not entitled to relief pursuant to 28 U.S.C. § 2254.

Based on the foregoing, the petition is hereby ordered DISMISSED. This case can now be closed.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge